

CCC:MKC
F. #2018R01399

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JUL 30 2019 ★
LONG ISLAND OFFICE

UNITED STATES OF AMERICA

- against -

DERRICK JENNINGS and
DESHAWN WALKER,

Defendants.

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THE GRAND JURY CHARGES:

COUNT ONE
(Firearms Trafficking Conspiracy)

1. On or about and between January 27, 2018 and May 4, 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DERRICK JENNINGS and DESHAWN WALKER, together with others, not being licensed importers, licensed manufacturers or licensed dealers of firearms, did knowingly and willfully conspire to engage in the business of dealing in firearms, and in the course of such business ship, transport and receive firearms in interstate commerce, contrary to Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

2. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants DERRICK JENNINGS and DESHAWN WALKER, together with others, did commit and cause the commission of, among others, the following:

INDICTMENT

Cr. No. C R 19 350

(T. 18, U.S.C., §§ 371, 922(a)(1)(A),
924(a)(1)(D), 924(d)(1), 2 and 3551
et seq.; T. 21, U.S.C., § 853(p); T. 28,
U.S.C., § 2461(c))

AZRACK, J.

TOMLINSON, M.J.

OVERT ACTS

(a) On or about January 27, 2018, WALKER spoke with a customer (the "Customer") by telephone to arrange a meeting for the sale of firearms in Massapequa, New York.

(b) On or about January 27, 2018, JENNINGS and WALKER sold two Cobra CA-380 .380 caliber pistols, with serial numbers CP106017 and CP053881, which were purchased in South Carolina and Georgia, respectively, and a Ruger LCP .380 caliber pistol with an obliterated serial number, which was manufactured outside of New York State, to the Customer in Massapequa, New York.

(c) On or about February 19, 2018, JENNINGS drove WALKER to meet the Customer for the purpose of carrying out an unlawful firearms sale in Massapequa, New York.

(d) On or about February 19, 2018, JENNINGS and WALKER sold to the Customer in Massapequa, New York: a Beretta Pietro SPA 96A1 .40 caliber pistol, with serial number A36332M, and a Jimenez Arms J.A. Nine 9mm pistol, with serial number 331535, both of which were purchased in Georgia; a Taurus PT738 .380 caliber pistol, with serial number 03434F, and a Sig Sauer P228 9mm pistol, with serial number AKU00984, both of which were reported stolen in Georgia; and a Smith and Wesson Model 37 .38 caliber revolver, with serial number 40443, which was manufactured outside of New York State.

(e) On or about February 27, 2018, JENNINGS drove WALKER to meet the Customer for the purpose of carrying out an unlawful firearms sale in Massapequa, New York.

(f) On or about February 27, 2018, JENNINGS and WALKER sold three SCCY Industries CPX-2 TTDE 9mm pistols with serial numbers 623503, 623505 and 623498, all of which were purchased in Georgia, to the Customer in Massapequa, New York.

(g) On or about May 4, 2018, JENNINGS and WALKER sold four SCCY Industries CPX-2 TTDE 9mm pistols with serial numbers 658162, 658218, 658216 and 377288, and a Taurus PT11 G2C 9mm pistol, IMP Taurus International, with serial number TLM60350, all of which were purchased in Georgia, to the Customer in Massapequa, New York.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT TWO
(Firearms Trafficking)

3. On or about and between January 27, 2018 and May 4, 2018, both dates bring approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DERRICK JENNINGS and DESHAWN WALKER, together with others, not being licensed importers, licensed manufacturers or licensed dealers of firearms, did knowingly and willfully engage in the business of dealing in firearms, and in the course of such business ship, transport and receive firearms in interstate commerce.

(Title 18, United States Code, Sections 922(a)(1)(A), 924(a)(1)(D), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

4. The United States hereby gives notice to the defendants that, upon their conviction of either of the offenses charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United

States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924, including but not limited to: (a) one Cobra CA-380 .380 caliber pistol, with serial number CP106017, recovered on or about January 27, 2018 in Massapequa, New York; (b) one Cobra CA-380 .380 caliber pistol, with serial number CP053881, recovered on or about January 27, 2018 in Massapequa, New York; (c) one Ruger LCP .380 caliber pistol with an obliterated serial number, recovered on or about January 27, 2018 in Massapequa, New York; (d) one Beretta Pietro SPA 96A1 .40 caliber pistol, with serial number A36332M, recovered on or about February 19, 2018 in Massapequa, New York; (e) one Taurus PT738 .380 caliber pistol, with serial number 03434F, recovered on or about February 19, 2018 in Massapequa, New York; (f) one Jimenez Arms J.A. Nine 9mm pistol, with serial number 331535, recovered on or about February 19, 2018 in Massapequa, New York; (g) one Sig Sauer P228 9mm pistol, with serial number AKU00984, recovered on or about February 19, 2018 in Massapequa, New York; (h) one Smith and Wesson Model 37 .38 caliber revolver, with serial number 40443, recovered on or about February 19, 2018 in Massapequa, New York; (i) one SCCY Industries CPX-2 TTDE 9mm pistol, with serial number 623503, recovered on or about February 27, 2018 in Massapequa, New York; (j) one SCCY Industries CPX-2 TTDE 9mm pistol, with serial number 623505, recovered on or about February 27, 2018 in Massapequa, New York; (k) one SCCY Industries CPX-2 TTDE 9mm pistol, with serial number 623498, recovered on or about February 27, 2018 in Massapequa, New York; (l) one SCCY Industries CPX-1 TTDE 9mm pistol, with serial number 658162, recovered on or about May 4, 2018 in Massapequa, New York; (m) one SCCY Industries CPX-2 TTDE 9mm pistol, with serial number 658218, recovered on or

about May 4, 2018 in Massapequa, New York; (n) one SCCY Industries CPX-2 TTDE 9mm pistol, with serial number 658216, recovered on or about May 4, 2018 in Massapequa, New York; (o) one SCCY Industries CPX-2 TTDE 9mm pistol, with serial number 377288, recovered on or about May 4, 2018 in Massapequa, New York; and (p) one Taurus PT11 G2C 9mm pistol, IMP Taurus International, with serial number TLM60350, recovered on or about May 4, 2018 in Massapequa, New York.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

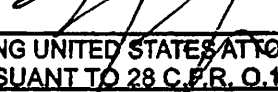
(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL



FOREPERSON

RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 

ACTING UNITED STATES ATTORNEY,
PURSUANT TO 28 C.F.R. O.136

